

39. (Reiterated) An expression vector, capable of replicating in at least one of a prokaryotic cell and eukaryotic cell, comprising the nucleic acid of claim 35.
40. (Reiterated) A host cell transfected with the expression vector of claim 39 and expressing said recombinant polypeptide.
42. (Reiterated) A recombinant transfection system, comprising
- (i) a gene construct including the nucleic acid of claim 35, operably linked to a transcriptional regulatory sequence for causing expression of the hedgehog polypeptide in eukaryotic cells, and
  - (ii) a gene delivery composition for delivering said gene construct to a cell and causing the cell to be transfected with said gene construct.
43. (Twice Amended) The recombinant transfection system of claim 42, wherein the gene delivery composition is selected from a group consisting of a recombinant viral particle, a liposome, and a poly-cationic nucleic acid binding agent[.,].
49. (Amended) An isolated nucleic acid comprising a nucleotide sequence which encodes an amino acid sequence of SEQ ID No. 17 or an N-terminal fragment thereof having a molecular weight of about 19 kD, which amino acid sequence or fragment thereof binds to a *patched* protein.
52. (Reiterated) A nucleic acid according to claim 49, further comprising a transcriptional regulatory sequence operably linked to said nucleotide sequence.
53. (Reiterated) An expression vector, configured for replication in at least one of a prokaryotic cell and eukaryotic cell, comprising the nucleic acid of claim 49.
54. (Reiterated) A host cell transfected with the expression vector of claim 53.
62. (Reiterated) The nucleic acid of claim 49, comprising the nucleotide sequence of SEQ ID No. 8.

63. (Amended) [A] An isolated nucleic acid which encodes a naturally occurring Desert hedgehog protein of human origin or an N-terminal fragment thereof having a molecular weight of about 19 kD.

64. (Reiterated) The nucleic acid of claim 63, which contains either the nucleotide sequence of SEQ ID No: 8 or its complementary nucleotide sequence.

65. (Reiterated) The nucleic acid of claim 63, which is inserted into an expression vector.

66. (Reiterated) The nucleic acid of claim 64, which is inserted into an expression vector.

67. (Reiterated) The nucleic acid of claim 63, which encodes an amino acid sequence of SEQ ID NO: 17.

68. (Reiterated) The nucleic acid of claim 64, which encodes an amino acid sequence of SEQ ID NO: 17.

69. (Reiterated) The nucleic acid of claim 63 or 64, which is introduced into an appropriate host.

70. (Reiterated) The nucleic acid of claim 65 or 66, which is introduced into an appropriate host.

Please add the following new claims:

72. (New) The nucleic acid of claim 49, which nucleic acid encodes a polypeptide including amino acids 23-198 of SEQ ID No. 17.

73. (New) The nucleic acid of claim 49, which nucleic acid encodes a polypeptide including SEQ ID No. 17.

74. (New) An isolated nucleic acid encoding a polypeptide consisting essentially of a *hedgehog* amino acid sequence which is at least 98 percent identical to a *hedgehog* protein of

SEQ ID No:17, or an N-terminal fragment thereof having a molecular weight of about 19 kD, which *hedgehog* amino acid sequence or fragment thereof binds to a *patched* protein or regulates proliferation of testicular germ line cells.

75. (New) An isolated nucleic acid encoding a polypeptide consisting of a *hedgehog* amino acid sequence which is at least 98 percent identical to a *hedgehog* protein of SEQ ID No:17, or an N-terminal fragment thereof having a molecular weight of about 19 kD, which *hedgehog* amino acid sequence or fragment thereof binds to a *patched* protein or regulates proliferation of testicular germ line cells.

76. (New) An isolated nucleic acid encoding a polypeptide comprising a *hedgehog* amino acid sequence which is at least 98 percent identical to a *hedgehog* protein of SEQ ID No:17, which *hedgehog* amino acid sequence binds to a *patched* protein or regulates proliferation of testicular germ line cells.

#### **REMARKS**

Claims 35, 39, 40, 42, 43, 49, 52-54, 62-70, and 72-76 constitute the pending claims in the present application. Applicants submit that added claims 72-76 raise no new issues, and should thus be entered. Applicants respectfully request reconsideration in view of the following remarks. Issues raised by the Examiner will be addressed below in the order they appear in the prior Office Action.

1. Applicants note that the Art Unit and Examiner for this application have changed.
2. Applicants note that the specification has been amended following the amendments in Paper 29 and the corrections in Paper 30.
- 3-4. Applicants note that claims 1-35, 39-43, 47-49, and 52-71 are pending, and that claims 1-34, 39-43, 47, 48, 55-61, and 71 are withdrawn as being directed to a non-elected invention. Applicants will cancel such claims upon indication of allowable subject matter.
5. Applicants note with appreciation that the application appears to comply with sequence listing requirements.